AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-20. (Cancelled)

21. (Previously Presented) A method of assessing the relative cognitive ability of a candidate, the assessment having a plurality of questions that are chosen from a plurality of question types ranging progressively from an easiest question type to a hardest question type, the method comprising the sequential steps of:

delivering to the candidate a question selected from the easiest question type;

allowing the candidate to answer the question and, thereafter, delivering to the candidate sequentially one or more questions from the same question type;

determining a quantifier in response to the answers provided by the candidate to the questions of the easiest question type;

if the quantifier is above a predetermined threshold for delivering to the candidate a question selected from another one of the question types, delivering to the candidate a question selected from the other one of the question types and, thereafter, delivering to the candidate one or more questions from the same other one of the question types; and

deriving an assessment of the relative cognitive ability of a candidate using the quantifier and the question types for which answers have been provided.

22. (Previously Presented) A method of assessing the relative cognitive ability of a candidate according to claim 21, wherein the other one of the question types is the next question type in the progressive range of question types.

23. (Previously Presented) A method of assessing the relative cognitive ability of a candidate according to claim 21, wherein the method comprises determining a second quantifier in response to the answers provided by the candidate to the questions of the other one of the question types.

24. (Previously Presented) A method of assessing the relative cognitive ability of a candidate according to claim 23, wherein if the second quantifier is above a predetermined second threshold for delivering to the candidate a question selected from the next question type in the progression of question types, the method further comprises the steps of delivering to the candidate a question selected from the next question type and thereafter, delivering to the candidate one or more questions from the same next question type.

25. (Currently Amended) A method for assessing the relative cognitive ability of a candidate according to claim 21, wherein at least one question is a "Swaps" question, the "Swaps" question comprising a plurality of images displayed in a predetermined spatial relationship and an instruction sequence associated with the images for indicating to the candidate a required ~~reorganisation~~ reorganization of the spatial relationship of the images.

26. (Previously Presented) A method according to claim 21, wherein the quantifier is determined upon a consideration of any one or more of:
   correctness of some or all of the answers provided by the candidate;
   time taken to provide those answers; and
   the relationship between the correctness of some or all the answers and confidence indicated by the candidate that his or her answers to the questions were correct.

27. (Previously Presented) An apparatus for assessing the relative cognitive ability of a candidate, the assessment having a plurality of questions that are chosen from a plurality of question types ranging progressively from an easiest question type to a hardest question type, the apparatus comprising:

a processor for driving a display to deliver to the candidate a question selected from the easiest question type;

an input device for allowing the candidate to answer the question, wherein the processor is responsive to the answer being provided to subsequently deliver to the candidate sequentially one or more questions from the same question type;

a calculation module being responsive to the answers provided by the candidate to the questions of the easiest question type for determining a quantifier, wherein the processor is responsive to the quantifier being above a predetermined threshold for driving the display to deliver to the candidate a question selected from another one of the question types and, thereafter, delivering to the candidate one or more questions from the other one of the question types; and

an assessment module responsive to the quantifier and the question types for which answers have been provided to derive an assessment of the relative cognitive ability of a candidate.

28. (Previously Presented) An apparatus for assessing the relative cognitive ability of a candidate according to claim 27, wherein the other one of the question types is the next question type in the progressive range of question types.

29. (Previously Presented) An apparatus for assessing the relative cognitive ability of a candidate according to claim 27, wherein the calculation module further determines a second quantifier in response to the answers provided by the candidate to the questions of the other one of the question types.

30. (Previously Presented) An apparatus for assessing the relative cognitive ability of a candidate according to claim 29, wherein the processor is also responsive to the second quantifier being above a predetermined second threshold for driving the display to deliver to the candidate a question selected from the next question type in the progression of question types, and thereafter, delivering to the candidate one or more questions from the same next question type.

31. (Previously Presented) An apparatus for assessing the relative cognitive ability of a candidate according to claim 27, wherein the calculation module determines the quantifier based upon any one or more of:

correctness of some or all of the answers provided by the candidate;

time taken to provide those answers; and

the relationship between the correctness of some or all the answers and confidence indicated by the candidate that his or her answers to the questions were correct.

32. (Currently Amended) An apparatus for assessing the relative cognitive ability of a candidate according to claim 27, wherein at least one question is a "Swaps" question, the "Swaps" question comprising a plurality of images displayed in a predetermined spatial relationship and an instruction sequence associated with the images for indicating to the candidate a required ~~reorganisation~~ reorganization of the spatial relationship of the images.

33. (Previously Presented) A method of assessing progress of a candidate in response to a learning program, the assessment having a plurality of questions that are chosen from a plurality of question types ranging progressively from an easiest question type to a hardest question type, the method comprising the sequential steps of:

delivering to the candidate a question selected from the easiest question type;

allowing the candidate to answer the question and, thereafter, delivering to the candidate sequentially one or more questions from the same question type in response to the preceding question being answered;

determining a quantifier in response to the answers provided by the candidate to the questions of the easiest question type;

if the quantifier is above a predetermined threshold for delivering to the candidate a question selected from another one of the question types, delivering to the candidate a question selected from the other one of the question types and, thereafter, delivering to the candidate one or more questions from the other one of the question types; and

deriving an assessment of the relative cognitive ability of a candidate using the quantifier and the question types for which answers have been provided.

34. (Previously Presented) A method of assessing progress of a candidate in response to a learning program according to claim 33, wherein the quantifier is determined upon a consideration of any one or more of:

correctness of some or all of the answers provided by the candidate;

time taken to provide those answers; and

the relationship between the correctness of some or all the answers and confidence indicated by the candidate that his or her answers to the questions were correct.

35. (Currently Amended) A method of assessing progress of a candidate in response to a learning program according to claim 33, wherein at least one question is a "Swaps" question, the "Swaps" question comprising displaying a plurality of images to the candidate in a spatial relationship and an instruction sequence associated with the images for indicating to the candidate a required ~~reorganisation~~ reorganization of the spatial relationship of the images.

36. (Currently Amended) A method according to claim [[1]]25, wherein the "Swaps" question has three images that are clearly visually distinct.

37. (Currently Amended) A method according to claim [[1]]25, wherein to answer the "Swaps" question, the candidate clicks and drags the images to the spatial locations that are believed to be correct.

38. (Currently Amended) A method according to claim [[1]]25, wherein a plurality of alternative answers to the "Swaps" question is displayed to the candidate, and the candidate selects one of the alternatives.

39-42. (Cancelled)

43. (Currently Amended) A method for assessing the relative cognitive ability of a candidate according to claim 25, wherein all the questions are "Swaps" questions and the instruction sequence of each question in a particular question type includes the same number of swap instructions requiring the spatial reorganisation reorganization of two images.

44. (Original) A method of delivering a test to a candidate according to claim 43, wherein the harder the question type, the larger the number of swaps instructions are included in the instruction sequence.

45. (Currently Amended) An apparatus for assessing the relative cognitive ability of a candidate according to claim 32, wherein all the questions are "Swaps" questions and the instruction sequence of each question in a particular question type includes the same number of swap instructions requiring the spatial reorganisation reorganization of two images.

46. (Currently Amended) ~~A method of delivering a test to a candidate~~ The apparatus for assessing the relative cognitive ability of a candidate according to claim 45, wherein the harder the question type, the larger the number of swaps instructions are included in the instruction sequence.

47. (Currently Amended) A method for assessing the progress of the candidate in response to a learning program according to claim 35, wherein all the questions are "Swaps" questions and the instruction sequence of each question in a particular question type includes the same number of swap instructions requiring the spatial ~~reorganisation~~ reorganization of two images.

48. (Original) A method of delivering a test to a candidate according to claim 47, wherein the harder the question type, the larger the number of swaps instructions are included in the instruction sequence.